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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-465-D)

PATENT

In the Application of:

McSwiggen et al.

Serial No.: 10/826,966

Filing Date: April 16, 2004

For: RNA Interference Mediated Inhibition of Gene  
Expression Using Chemically Modified Short  
Interfering Nucleic Acid (siNA)

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)  
) Examiner: TBD  
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) Group Art Unit: 1635  
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) Confirmation No.: 2134  
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TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Copy of International Search Report;
- b) Information Disclosure Statement;
- c) PTO Form 1449 and 1 reference cited therein; and
- d) return receipt postcard.

2. With respect to fees:

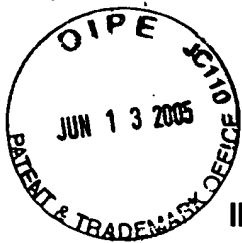
- a) A fee is not required at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 9, 2005.

Date: June 9, 2005

Respectfully submitted,

Michael S. Greenfield  
Registration No. 37,142



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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

For Information Disclosure Statements submitted after receipt of a foreign Search Report, a copy of such Search Report is attached.

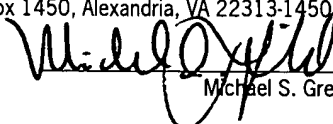
This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 9, 2005.

Date: June 9, 2005

  
Michael S. Greenfield

## OTHER DOCUMENTS

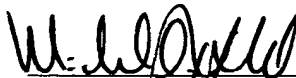
1. Anderson et al., "Bispecific short hairpin siRNA constructs targeted to CD4 CXCR4, and CCR5 confer HIV-1 resistance." OGLIGONUCLEOTIDES, vol. 13, no. 5, 2003, pages 303-312, XP002313468, ISSN: 1545-4576, figure 1.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: June 9, 2005

By:



Michael S. Greenfield

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FORM PTO-1449  
(Rev. 2-32)U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

03-465-D

Serial No.

10/826,966

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use several sheets if necessary)**Applicant:**

McSwiggen et al.

**Filing Date:**

April 16, 2004

**Group:**

1635

**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

**FOREIGN PATENT DOCUMENTS**

		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).**

		1.	Anderson et al., "Bispecific short hairpin siRNA constructs targeted to CD4 CXCR4, and CCR5 confer HIV-1 resistance." OGLIGONUCLEOTIDES, vol. 13, no. 5, 2003, pages 303-312, XP002313468, ISSN: 1545-4576, figure 1.
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.